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APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. ☒ Specification Total Pages **40**

3. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets **6 (formals)**

4. ☒ Oath or Declaration Total Pages **4**

- a. ☒ Newly executed (original)
b. ☐ Copy from a prior application (37 C.F.R. §1.63(d))
(for continuation/divisional with box 15 completed)
i. ☐

DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §1.63(d)(2) and 1.33(b).

5. ☐ Incorporation By Reference (usable if box 4B is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4B, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

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ACCOMPANYING APPLICATION PARTS

6. ☐ Assignment Papers (cover sheet & document(s))
7. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
8. ☐ English Translation Document (if applicable)
9. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
10. ☐ Preliminary Amendment
11. ☒ White Advance Serial No. Postcard
12. ☐ Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired.
13. ☒ Certified Copy of Priority Document(s) (1)
(if foreign priority is claimed)
Notice of Priority, Receipt of an Original Deposit of Microorganisms for the Purpose of Patent Procedure (FERM BP-1539, BP-1540, BP-1541, and BP-1542)
14. ☒ Other:

15. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no.:

Prior application information: Examiner:

Group Art Unit:

16. Amend the specification by inserting before the first line the sentence:

☐ This application is a ☐ Continuation ☐ Division ☐ Continuation-in-part (CIP)
of application Serial No. Filed on

☐ This application claims priority of provisional application Serial No. Filed

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PLASMID AUTONOMOUSLY REPLICABLE IN CORYNEFORM BACTERIA

5 The present invention relates to a novel plasmid
derived from *Corynebacterium thermoaminogenes*. The
plasmid of the present invention can be utilized for
improving of coryneform bacteria, which are used as
bacteria for producing useful substances such as L-amino
10 acids.

Amino acids including L-glutamic acid and L-lysine are produced by fermentative methods using the so-called coryneform bacteria, which generally belong to the genus *Brevibacterium*, *Corynebacterium* or *Microbacterium*, or variant strains thereof (Amino Acid Fermentation, Gakkai Shuppan Center, pp.195-215, 1986).

In the industrial fermentative production of amino acids, besides improvement in yield relative to saccharides, shortening of culture time, improvement in amino acid accumulation concentration and so forth, use of an elevated culture temperature is considered important as a technical factor that raises economical efficiency. That is, culture is usually performed at optimum fermentation temperature, and the optimum temperature is 31.5°C for *Corynebacterium glutamicum*. After the culture is started, heat is generated during the fermentation, and hence amino acid production is markedly reduced if this heat output is not removed. Therefore, cooling equipment is required in order to maintain the temperature of the culture broth to be

optimum. On the other hand, if the culture temperature can be elevated, it becomes possible to decrease energy required for cooling and the cooling equipment can be made small.

- 5 Among coryneform bacteria, *Corynebacterium thermoaminogenes* has been isolated as a coryneform bacterium that can grow in a high temperature region (Japanese Patent Application Laid-open (Kokai) No. 63-240779). Whereas growth of *Corynebacterium glutamicum*
- 10 is markedly suppressed at 40°C, *Corynebacterium thermoaminogenes* can grow at a temperature of about 40°C or higher, and is considered to be suitable for high temperature fermentation.

- Currently, improving relying on DNA recombination
- 15 techniques is progressing in *Escherichia coli* or coryneform bacteria. In order to improve microorganisms by DNA recombination techniques, even plasmids derived from microorganisms belonging to another species or genus or broad host spectrum vectors are often used.
- 20 However, plasmids proper to objective microorganisms of improving are generally used. In particular, when optimum culture temperature for the objective microorganism of the improving is different from that of microorganisms of the same species or genus, it is
- 25 preferable to use a plasmid proper to the microorganism.

- So far obtained as plasmids derived from coryneform bacteria are pAM330 from *Brevibacterium lactofermentum* ATCC13869 (Japanese Patent Application Laid-open (Kokai) No. 58-67669), pBL1 from
- 30 *Brevibacterium lactofermentum* ATCC21798 (Santamaria. R.

et al., J. Gen. Microbiol., 130, pp.2237-2246, 1984),
pHM1519 from *Corynebacterium glutamicum* ATCC13058
(Japanese Patent Application Laid-open (Kokai) No. 58-
77895), pCG1 from *Corynebacterium glutamicum* ATCC31808
5 (Japanese Patent Application Laid-open (Kokai) No. 57-
134500) and pGA1 from *Corynebacterium glutamicum* DSM58
(Japanese Patent Application Laid-open (Kokai) No. 9-
2603011).

However, no plasmid proper to *Corynebacterium*
10 *thermoaminogenes* has obtained at present.

SUMMARY OF THE INVENTION

An object of the present invention is to provide a
plasmid useful for improving of the coryneform bacterium
15 that can grow at an elevated temperature,
Corynebacterium thermoaminogenes.

The inventors of the present invention found that
Corynebacterium thermoaminogenes AJ12340 (FERM BP-1539),
AJ12308 (FERM BP-1540), AJ12309 (FERM BP-1541) and
20 AJ12310 (FERM BP-1542) each harbored a cryptic plasmid
proper to each strain, and successfully isolated and
identified each plasmid. Thus, they accomplished the
present invention.

That is, the present invention provides a plasmid
25 isolable from *Corynebacterium thermoaminogenes*, which
comprises a gene (*rep* gene) coding for a Rep protein
having the amino acid sequence shown in SEQ ID NO: 2 or
an amino acid sequence having homology of 90% or more to
the foregoing amino acid sequence, and has a size of
30 about 4.4 kb or about 6 kb, or a derivative thereof.

- Examples of the aforementioned plasmid include a plasmid isolable from *Corynebacterium thermoaminogenes* AJ12340 (FERM BP-1539), AJ12308 (FERM BP-1540) or AJ12310 (FERM BP-1542), which has a size of about 4.4 kb and is represented by the restriction map shown in Fig. 1, and a plasmid isolable from *Corynebacterium thermoaminogenes* AJ12309 (FERM BP-1541), which has a size of about 6 kb and is represented by the restriction map shown in Fig. 2.
- Specific examples of the aforementioned plasmid include a plasmid which comprises a gene coding for a Rep protein having the amino acid sequence shown in SEQ ID NO: 2, 4 or 6, and a plasmid which comprises a gene coding for a Rep protein having the amino acid sequence shown in SEQ ID NO: 8.

BRIEF EXPLANATION OF THE DRAWINGS

- Fig. 1 is a restriction map of the plasmids pYM1, pYM2 and pYM3 of the present invention.
- Fig. 2 is a restriction map of the plasmid pYM4 of the present invention.
- Fig. 3 shows construction of pYMPK.
- Fig. 4 shows construction of pYMK.
- Fig. 5 shows construction of pYMC.
- Fig. 6 shows construction of pK1.

DETAILED DESCRIPTION OF THE INVENTION

- The plasmid of the present invention can be isolated from *Corynebacterium thermoaminogenes* AJ12340 (FERM BP-1539), AJ12308 (FERM BP-1540), AJ12309 (FERM

BP-1541) or AJ12310 (FERM BP-1542) according to a usual method for preparing a plasmid such as the alkali method (Text for Bioengineering Experiments, Edited by the Society for Bioscience and Bioengineering, Japan, p.105, 5 Baifukan, 1992). As for FERM BP-1539, its original deposition, which was deposited at the National Institute of Bioscience and Human-Technology, Agency of Industrial Science and Technology (postal code 305-8566, 1-3 Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, Japan) on 10 March 13, 1987 and given an accession number of FERM P-9277, was transferred to an international deposition under the provisions of the Budapest Treaty on October 27, 1987 and has been deposited at the same depository. As for FERM BP-1540, FERM BP-1541 and FERM BP-1542, 15 their original depositions, which were deposited at the aforementioned depository on March 10, 1987 and given accession numbers of FERM P-9244, FERM P-9245 and FERM P-9246, were transferred to international depositions under the provisions of the Budapest Treaty on October 20 27, 1987 and have been deposited at the same depository.

The inventors of the present invention isolated and identified plasmids each proper to each of the aforementioned *Corynebacterium thermoaminogenes* AJ12308 (FERM BP-1540), AJ12310 (FERM BP-1542), AJ12340 (FERM 25 BP-1539) and AJ12309 (FERM BP-1541) from them, and designated as pYM1, pYM2, pYM3 and pYM4 in that order. These plasmids are plasmids that exist as double-stranded circular DNA in a cell of *Corynebacterium thermoaminogenes*. The nucleotide sequence of the rep 30 gene contained in pYM1 is shown in SEQ ID NO: 1, the

nucleotide sequence of the *rep* gene contained in pYM2 is shown in SEQ ID NO: 3, the nucleotide sequence of the *rep* gene contained in pYM3 is shown in SEQ ID NO: 5, and the nucleotide sequence of the *rep* gene contained in pYM4 is shown in SEQ ID NO: 7. The amino acid sequences that can be encoded by the *rep* genes contained in these plasmids are shown in SEQ ID NOS: 2, 4, 6 and 8. pYM1, pYM2 and pYM3 each have a size of about 4.4 kb. pYM4 has a size of about 6 kb.

Numbers and sizes of fragments that can be obtained when pYM1, pYM2 and pYM3 are digested with typical restriction enzymes are shown in Table 1. Numbers and sizes of fragments that can be obtained when pYM4 is digested with typical restriction enzymes are shown in Table 2. Further, a restriction map of pYM1, pYM2 and pYM3 is shown in Fig. 1, and a restriction map of pYM4 is shown in Fig. 2.

Table 1

	Restriction enzyme	Number of digestion site	DNA fragment (kb)
5	<i>Bgl</i> II	0	-
	<i>Bam</i> HI	2	1.8, 2.6
	<i>Bst</i> PI	1	4.4
	<i>Eco</i> RI	1	4.4
	<i>Hinc</i> II	4	0.3, 0.5, 2.0, 1.6
10	<i>Hind</i> III	0	-
	<i>Kpn</i> I	0	-
	<i>Nae</i> I	2	0.1, 4.3
	<i>Nco</i> I	1	4.4
	<i>Nhe</i> I	2	1.8, 2.6
15	<i>Pma</i> CI	1	4.4
	<i>Sac</i> I	0	-
	<i>Sal</i> I	0	-
	<i>Sac</i> II	3	0.1, 1.4, 2.9
	<i>Sma</i> I	3	0.1, 1.8, 2.5
20	<i>Sph</i> I	0	-
	<i>Tth</i> III	1	4.4
	<i>Xba</i> I	0	-

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Table 2

	Restriction enzyme	Number of digestion site	DNA fragment (kb)
5	<i>Bgl</i> II	1	6.0
	<i>Bam</i> HI	2	3.8, 2.2
	<i>Bst</i> PI	2	1.2, 4.8
	<i>Eco</i> RI	1	6.0
	<i>Hinc</i> II	4	0.3, 0.4, 1.2, 1.7, 2.4
10	<i>Hind</i> III	0	-
	<i>Kpn</i> I	0	-
	<i>Nae</i> I	2	0.1, 5.9
	<i>Nco</i> I	3	0.2, 2.8, 3.0
	<i>Nhe</i> I	3	0.1, 2.3, 3.6
15	<i>Pma</i> CI	0	-
	<i>Sac</i> I	0	-
	<i>Sal</i> I	0	-
	<i>Sac</i> II	5	0.1, 0.2, 0.9, 1.8, 3.0
	<i>Sma</i> I	2	0.1, 5.9
20	<i>Sph</i> I	0	-
	<i>Tth</i> III	0	-
	<i>Xba</i> I	0	-

Determination of the nucleotide sequence of the plasmid of the present invention revealed that pYM1, pYM2, and pYM3 contained 4368 bp, 4369 bp and 4369 bp, respectively, and they had substantially the same structure and showed homology of 99.9% to one another on the nucleotide sequence level. Further, pYM4 contained 5967 bp and it showed extremely high homology to pYM1, pYM2 and pYM3 for the region of about 4.4 kb except for the region of about 1.6 kb, while it showed homology of about 81% to them as a whole.

The plasmids contain respective *rep* genes which show high homology to one another. Homology was compared for the amino acid sequences of the Rep

proteins encoded by the *rep* genes (SEQ ID NOS: 2, 4, 6 and 8) and the amino acid sequences of the Rep proteins encoded by *rep* genes of known plasmids derived from coryneform bacteria. Homology of 99% or more was observed among pYM1, pYM2 and pYM3, and homology of 81.91% was observed between pYM2 and pYM4. On the other hand, they showed no homology to the known plasmid pAM330 of a coryneform bacterium, and they showed homology of 80% or less to pGA1 and pCG1. The results are shown in Table 3. Thus, the plasmid of the present invention and the known plasmids of coryneform bacteria are distinguishable based on the homology of the Rep protein.

The homology is calculated according to the method described in Takashi, K. and Gotoh, O., J. Biochem., 92, 1173-1177 (1984).

Table 3

Homology of amino acid sequences of Rep protein encoded by various plasmids

	PYM2	pYM4	pGA1	pCG1
PYM2	-	81.91%	68.01%	70.73%
PYM4	-	-	69.39%	70.23%
PGA1	-	-	-	75.31%
PCG1	-	-	-	-

Since the plasmid of the present invention can sufficiently replicate in cells of coryneform bacteria including *Corynebacterium thermoaminogenes*, genetic information of a foreign gene can be expressed in a host microorganism by inserting the foreign gene at any site of the plasmid or the derivative thereof, and

transforming the host microorganism with the obtained recombinant plasmid.

Examples of coryneform bacteria are listed below.

- Corynebacterium acetoacidophilum*
- 5 *Corynebacterium acetoglutamicum*
- Corynebacterium callunae*
- Corynebacterium glutamicum*
- Corynebacterium thermoaminogenes*
- Corynebacterium lilium* (*Corynebacterium*
- 10 *glutamicum*)
- Corynebacterium melassecola*
- Brevibacterium divaricatum* (*Corynebacterium*
- glutamicum*)
- Brevibacterium lactofermentum* (*Corynebacterium*
- 15 *glutamicum*)
- Brevibacterium saccharolyticum*
- Brevibacterium immariophilum*
- Brevibacterium roseum*
- Brevibacterium flavum* (*Corynebacterium glutamicum*)
- 20 *Brevibacterium thiogenitalis*

- A derivative of the plasmid of the present invention means a plasmid composed of a part of the plasmid of the present invention, or a part of the
- 25 plasmid of the present invention or the plasmid of present invention and another DNA sequence. The part means a part containing a region essential for the autonomous replication of the plasmid. The plasmid of the present invention can replicate in a host
- 30 microorganism even if a region other than the region

essential for the autonomous replication of the plasmid (replication control region), that is, the region other than the region containing the replication origin and genes necessary for the replication, is deleted. In addition, a plasmid including such a deletion has a smaller size. Therefore, a plasmid having such a deletion is preferred for use as a vector. Further, if a marker gene such as a drug resistance gene is inserted into the plasmid of the present invention or a part thereof, it becomes easy to detect transformants thanks to phenotype of the marker gene in the transformants. Examples of such a marker gene that can be used in the host include a chloramphenicol resistance gene, kanamycin resistance gene, streptomycin resistance gene, tetracycline resistance gene, trimethoprim resistance gene, erythromycin resistance gene and so forth.

Further, if the plasmid of the present invention is made as a shuttle vector autonomously replicable in coryneform bacteria and other bacteria such as *Escherichia coli* by ligating the plasmid of the present invention or a part thereof with a plasmid autonomously replicable in the other bacteria such as *Escherichia coli* or a part thereof containing a replication control region thereof, manipulations such as preparation of plasmid and preparation of recombinant plasmid containing a target gene can be performed using *Escherichia coli*. Examples of the plasmid autonomously replicable in *Escherichia coli* include, for example, pUC19, pUC18, pBR322, pHSG299, pHSG298, pHSG399, pHSG398, RSF1010, pMW119, pMW118, pMW219, pMW218 and so forth.

- Although pYM1, pYM2, pYM3 and pYM4 themselves are characterized by the restriction maps shown in Figs. 1 and 2, the plasmid of present invention is not necessarily required to have these restriction maps, and
- 5 any restriction site may be deleted so long as such deletion does not affect the autonomous replication ability. Further, the plasmid of the present invention may contain a restriction site that is not contained in pYM1, pYM2, pYM3 and pYM4.
- 10 The derivative of the plasmid as described above can be constructed in the same manner as the conventionally known construction of cloning vectors, expression vectors and so forth. In order to construct the derivative, it is preferable to determine the
- 15 nucleotide sequences of pYM1, pYM2, pYM3 and pYM4. The nucleotide sequence can be determined by known methods such as the dideoxy method.
- In order to insert a foreign gene into the plasmid or the derivative thereof of the present invention, it
- 20 is convenient to insert it into a restriction site of the plasmid or the derivative thereof. As such a restriction site, one present as a single digestion site is preferred. In order to insert a foreign gene, the plasmid and a source of the foreign gene such as genome
- 25 DNA can be partially or fully digested with one or more restriction enzymes that provide the same cohesive ends for the both, e.g., the same restriction enzyme, and they can be ligated under a suitable condition. They may also be ligated at blunt ends.
- 30 For preparation of plasmid DNA, digestion and

ligation of DNA, transformation and so forth, those methods well known to those skilled in the art may be employed. Such methods are described in Sambrook, J., Fritsch, E.F., and Maniatis, T., "Molecular Cloning: A Laboratory Manual, Second Edition", Cold Spring Harbor Laboratory Press (1989) and so forth.

According to the present invention, a novel plasmid derived from *Corynebacterium thermoaminogenes* is provided as described above.

10

EXAMPLES

Hereafter, the present invention will be explained in more detail with reference to the following examples.

15 Example 1

Isolation and characterization of plasmids from *Corynebacterium thermoaminogenes* (FERM BP-1539, FERM BP-1540, FERM BP-1541, FERM BP-1542)

Corynebacterium thermoaminogenes AJ12340 (FERM BP-20 1539), AJ12308 (FERM BP-1540), AJ12309 (FERM BP-1541) and AJ12310 (FERM BP-1542) were cultured for 12 hours in CM2B liquid medium (Bacto-trypton (Difco): 1%, Bacto-yeast-extract (Difco): 1%, NaCl: 0.5%, biotin: 10 $\mu\text{g/L}$), and plasmid DNA fractions were obtained by the alkali 25 method (Text for Bioengineering Experiments, Edited by the Society for Bioscience and Bioengineering, Japan, p.105, Baifukan, 1992). When these fractions were analyzed by agarose gel electrophoresis (Sambrook, J., Fritsch, E.F., and Maniatis, T., "Molecular Cloning: A Laboratory Manual, Second Edition", Cold Spring Harbor 30

Laboratory Press (1989)), DNA bands were detected for all of the cases, and hence it was demonstrated that the aforementioned strains harbored plasmids. The plasmids prepared from FERM BP-1540, FERM BP-1542 and FERM BP-

- 5 1539 were designated as pYM1, pYM2 and pYM3, respectively. The plasmid prepared from FERM BP-1541 was designated as pYM4. The plasmids pYM1, pYM2 and pYM3 each had a length of about 4.4 kb, and the plasmid pYM4 had a length of about 6.0 kb.

- 10 The plasmids pYM1, pYM2, pYM3 and pYM4 were digested with restriction enzymes *Bgl*III, *Bam*HI, *Bst*PI, *Eco*RI, *Hinc*II, *Hind*III, *Kpn*I, *Nae*I, *Nco*I, *Nhe*I, *Pma*CI, *Sac*I, *Sac*II, *Sal*I, *Sma*I, *Sph*I, *Tth*111I and *Xba*I (produced by Takara Co.), and lengths of the produced
- 15 DNA fragments were measured by agarose gel electrophoresis. The electrophoresis was performed at 100 V/cm and a constant voltage for several hours by using 0.8% agarose gel. As molecular weight markers, λ phage DNA (Takara Shuzo) digested with a restriction
- 20 enzyme *Hind*III was used. The results obtained for pYM1, pYM2 and pYM3 are shown in Table 1. The results obtained for pYM4 are shown in Table 2. The restriction map of pYM1, pYM2 and pYM3 is shown in Fig. 1, and the restriction map of pYM4 is shown in Fig. 2, which were
- 25 prepared based on the above results.

The results of nucleotide sequencing of pYM1, pYM2, pYM3 and pYM4 by the dideoxy method are shown in SEQ ID NOS: 1, 3, 5 and 7 in that order.

Example 2

Construction of shuttle vector pYMFK containing Km resistance gene derived from *Streptococcus faecalis*

As a region necessary for efficient replication of pYM2 in coryneform bacteria, there are present an AT-rich region upstream from *rep* and a region affecting copy number downstream from *rep*, besides the region coding for *rep*.

Therefore, in order to obtain a shuttle vector that can replicate in coryneform bacteria and *E. coli* without impairing the replication ability of pYM2, a region enabling autonomous replication in *E. coli* and a selection marker were inserted into sites in the vicinity of the *Bst*PI site of pYM2.

First, a vector having a drug resistance gene of *S. faecalis* was constructed. The kanamycin resistance gene of *S. faecalis* was amplified by PCR from a known plasmid containing that gene. The nucleotide sequence of the kanamycin resistance gene of the *S. faecalis* has already been elucidated (Trieu-Cuot, P. and Courvalin, P., *Gene*, 23 (3), pp.331-341 (1983)). Based on this sequence, the primers having the nucleotide sequences shown as SEQ ID NOS: 16 and 17 were synthesized, and PCR was performed by using pDG783 (Anne-Marie Guerout-Fleury et al., *Gene*, 167, pp.335-337 (1995)) as a template to amplify a DNA fragment containing the kanamycin resistance gene and its promoter.

The above DNA fragment was purified by using SUPREC02 produced by Takara Shuzo Co., Ltd., completely digested with restriction enzymes *Hind*III and *Hinc*II,

and blunt-ended. The blunt-ending was performed by using Blunting Kit produced by Takara Shuzo Co., Ltd. This DNA fragment and an amplification product obtained by PCR utilizing the primers having the nucleotide sequences shown as SEQ ID NOS: 18 and 19 and pHSG399 (see S. Takeshita et al., *Gene*, 61, pp.63-74 (1987)) as a template and purification and blunt-ending of the PCR product were mixed and ligated. The ligation reaction was performed by using DNA Ligation Kit ver.2 produced by Takara Shuzo Co., Ltd. Competent cells of *Escherichia coli* JM109 (produced by Takara Shuzo Co., Ltd.) were transformed with the ligated DNA, and applied to L medium (10 g/L of Bacto trypton, 5 g/L of Bacto yeast extract, 5 g/L of NaCl, and 15 g/L of agar, pH 7.2) containing 10 µg/ml of IPTG (isopropyl-β-D-thiogalactopyranoside), 40 µg/ml of X-Gal (5-bromo-4-chloro-3-indolyl-β-D-galactoside) and 25 µg/ml of kanamycin, and cultured overnight. Then, the formed blue colonies were picked up, and subjected to single colony isolation to obtain transformants.

Plasmids were prepared from the transformants by using the alkaline method (Text for Bioengineering Experiments, Edited by the Society for Bioscience and Bioengineering, Japan, p.105, Baifukan, 1992), and restriction maps were prepared. A plasmid having a restriction map equivalent to that shown at a lower position in Fig. 6 was designated as pK1. This plasmid is stably harbored in *Escherichia coli*, and imparts kanamycin resistance to a host. Moreover, since it contains the *lacZ'* gene, it is suitable for use as a

cloning vector.

Then, a region containing the replication origin was amplified by Pyrobest-Taq (Takara Shuzo Co., Ltd.) using pYM2 extracted from *C. thermoaminogenes* AJ12310

- 5 (FERM BP-1542) as a template (The entire nucleotide sequence of pYM2 is shown in SEQ ID NO: 9.) and the following primers prepared based on a sequence in pYM2 near the *Bst*PI site:

S1: 5'-AAC CAG GGG GAG GGC GCG AGG C-3' (SEQ ID NO: 10)

- 10 S3: 5'-TCT CGT AGG CTG CAT CCG AGG CGG GG-3' (SEQ ID NO: 11)

The reaction condition was 94°C for 5 minutes, then a cycle of 98°C for 20 seconds and 68°C for 4 minutes, which was repeated for 30 cycles, and 72°C for 4 minutes.

- 15 After the reaction, the mixture was stored at 4°C.

The obtained amplified fragment was purified by using MicroSpin TM S-400 HR columns produced by Amersham Pharmacia Biotech Co., blunt-ended by using DNA Blunting Kit produced by Takara Shuzo Co., Ltd., and then ligated

20 to pK1 treated with *Hinc*II by using DNA Ligation Kit. ver. 2 produced by Takara Shuzo Co., Ltd. Competent cells of *Escherichia coli* JM109 (produced by Takara Shuzo) were transformed with the ligated DNA to obtain transformant strains.

- 25 Plasmids were prepared from the transformant strains using the alkali method (Text for Bioengineering Experiments, Edited by the Society for Bioscience and Bioengineering, Japan, p.105, Baifukan, 1992) and restriction maps of the plasmids were prepared. One
- 30 showing a restriction map equivalent to that shown at a

5

Construction of pYMK containing Km resistance gene
derived from Tn903

15 S3XbaI: 5'-GCT CTA GAG CTC TCG TAG GCT GCA TCG GAG GCG
GGG-3' (SEQ ID NO: 13)

25 Takara Shuzo) were transformed with the ligated DNA to
obtain transformant strains.

30 Bioengineering, Japan, p.105, Baifukan, 1992) and

restriction maps of the plasmids were prepared. One showing a restriction map equivalent to that shown at a lower position in Fig. 4 was designated as pYMK. pYMK had a size of about 7.0 kb, and was able to autonomously replicate in *E. coli* and coryneform bacteria and impart Km resistance to a host.

Example 4

Construction of shuttle vector pYMC containing Cm resistance gene derived from Tn9

A region containing the replication origin was amplified in the same manner as in Example 2 by using pYM2 extracted from *C. thermoaminogenes* AJ12310 (FERM BP-1542) as a template and the following primers:

15 S1XbaI: 5'-GCT CTA GAG CAA CCA GGG GGA GGG CGC GAG GC-3' (SEQ ID NO: 14)

S3XbaI: 5'-GCT CTA GAG CTC TCG TAG GCT GCA TCG GAG GCG GGG-3' (SEQ ID NO: 15)

The above DNA was purified by using MicroSpin™ S-400 HR columns produced by Amersham Pharmacia Biotech Co., digested with a restriction enzyme XbaI produced by Takara Shuzo Co., Ltd., and then ligated to a fragment obtained by treating pHSG399 (Takara Shuzo Co., Ltd.) with XbaI by using DNA Ligation Kit. ver. 2 produced by Takara Shuzo Co., Ltd. Competent cells of *Escherichia coli* JM109 (produced by Takara Shuzo) were transformed with the ligated DNA to obtain transformant strains.

Plasmids were prepared from the transformant strains using the alkali method (Text for Bioengineering Experiments, Edited by the Society for Bioscience and

Bioengineering, Japan, p.105, Baifukan, 1992) and restriction maps of the plasmids were prepared. One showing a restriction map equivalent to that shown at a lower position in Fig. 5 was designated as pYMC. pYMC
5 had a size of about 6.6 kb, and was able to autonomously replicate in *E. coli* and coryneform bacteria and impart Cm resistance to a host.

001100.2540920

SEQUENCE LISTING

<110> Yumi Matsuzaki
 Eiichiro Kimura
 Tsuyoshi Nakamatsu
 Osamu Kurahashi
 Yoshio Kawahara
 Shinichi Sugimoto

<120> Plasmid Autonomously Replicable in Coryneform Bacteria

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 <151> 1999-08-12

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<170> PatentIn Ver. 2.0

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 Tyr Ser Thr Asp Leu Phe Asp Thr His Pro Glu Leu Ala Leu Arg Ser
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 Arg Ser Met Phe His Gly Cys Pro Thr Arg Asp Phe Ser Ala Ala Trp
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 Val Lys Asp Pro Glu Thr Gly Glu Thr Arg Pro Lys Leu His Arg Val
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 ggc acc cgc tca ctt tcc cgg tgc cag tac gtt gcc ctg acc cac ccg 288
 Gly Thr Arg Ser Leu Ser Arg Cys Gln Tyr Val Ala Leu Thr His Pro
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 cag cgc tcc gcg gtg ctg gtc tta gac atc gac atc ccc agc cac cag 336
 Gln Arg Ser Ala Val Leu Val Leu Asp Ile Asp Ile Pro Ser His Gln
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 gcc ggc ggg aac atc gag cac ctt cac ccg cag gtg tac gcc acc ttg 384
 Ala Gly Gly Asn Ile Glu His Leu His Pro Gln Val Tyr Ala Thr Leu
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 Glu Arg Trp Ala Arg Val Glu Lys Ala Pro Ala Trp Ile Gly Val Asn

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Asp	Ala	Lys	Ile	Ile	Asp	Ala	Tyr	Glu	Arg	Ala	Tyr	Asn	Val	Ala	Gln	
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Arg	Gly	Trp	Asn	His	Gln	Asp	Ala	Glu	Phe	Leu	Ala	His	Leu	Asp		
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His Gln Glu Phe Ser Ser Gly Arg Ala Arg Ile Glu Ala Ala Arg Lys	
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275 280 285	
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Trp Ala Ala Glu Gly Arg Ala Ala Arg Asp Glu Thr Ala Phe Arg His	
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Pro	Thr	Val	Ser	Ala	Arg	Ser	Thr	Gln	Thr	Gln	Ser	Ser	Arg	Gly	Arg	
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 Arg Trp Lys Thr Asp Pro Asn Gly Lys Tyr Ala Gln Glu Asn Arg Gln
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 cga ctc gaa gct gca aac aag cga cgt caa gtc agc tgg aac aaa tac 1296
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 Gly Thr Arg Ser Leu Ser Arg Cys Gln Tyr Val Ala Leu Thr His Pro
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 Gln Arg Ser Ala Val Leu Val Leu Asp Ile Asp Ile Pro Ser His Gln
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09636458-081100

WHAT IS CLAIMED IS:

1. A plasmid isolable from *Corynebacterium thermoaminogenes*, which comprises a gene coding for a Rep protein having the amino acid sequence shown in SEQ ID NO: 2 or an amino acid sequence having homology of 90% or more to the amino acid sequence shown in SEQ ID NO: 2, and has a size of about 4.4 kb or about 6 kb, or a derivative thereof.
2. The plasmid or the derivative thereof according to claim 1, which is isolable from *Corynebacterium thermoaminogenes* AJ12340 (FERM BP-1539), AJ12308 (FERM BP-1540) or AJ12310 (FERM BP-1542), has a size of about 4.4 kb and is represented by the restriction map shown in Fig. 1.
3. The plasmid or the derivative thereof according to claim 1, which is isolable from *Corynebacterium thermoaminogenes* AJ12309 (FERM BP-1541), has a size of about 6 kb and is represented by the restriction map shown in Fig. 2.
4. The plasmid or the derivative thereof according to claim 1, which comprises a gene coding for a Rep protein having the amino acid sequence shown in SEQ ID NO: 2, 4 or 6.
5. The plasmid or the derivative thereof according to claim 1, which comprises a gene coding for a Rep protein having the amino acid sequence shown in SEQ ID NO: 8.

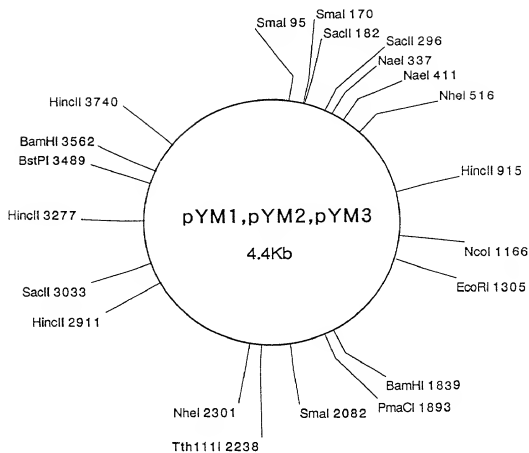


Fig. 1

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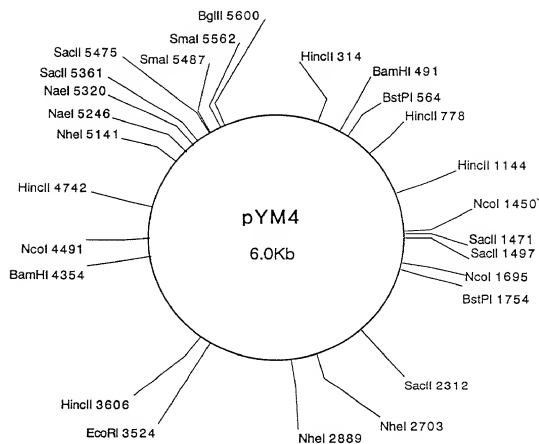


Fig. 2

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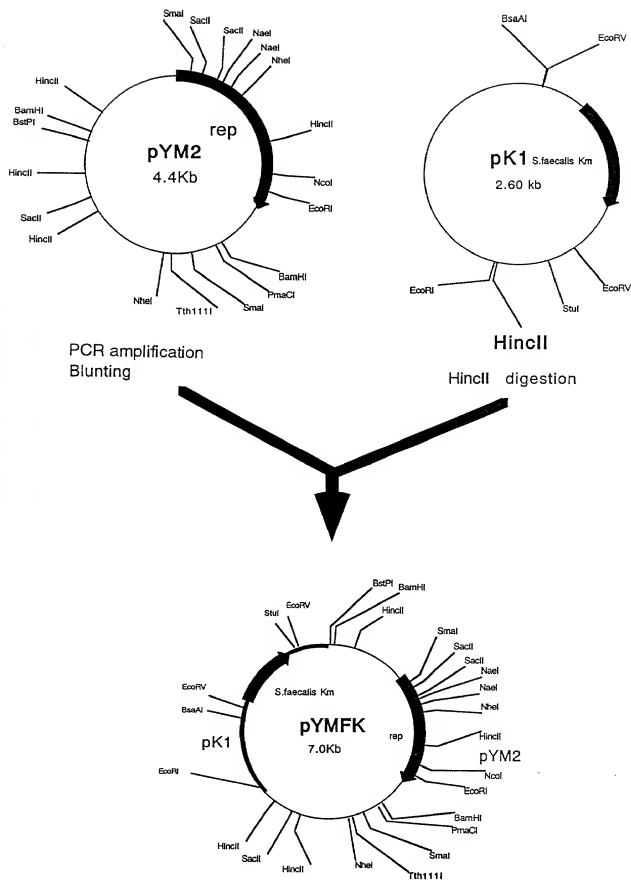


Fig. 3

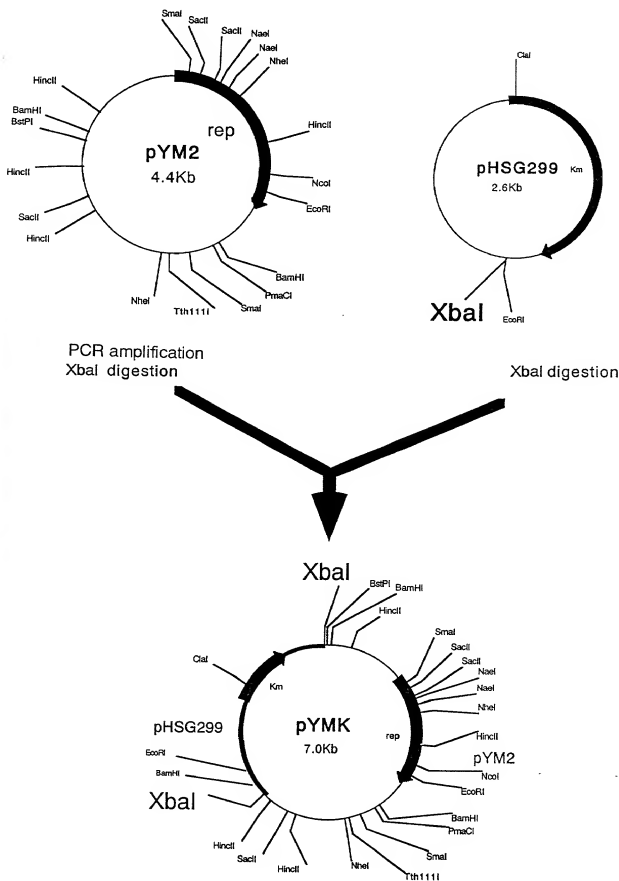


Fig. 4

OCT 1997 09:09:00

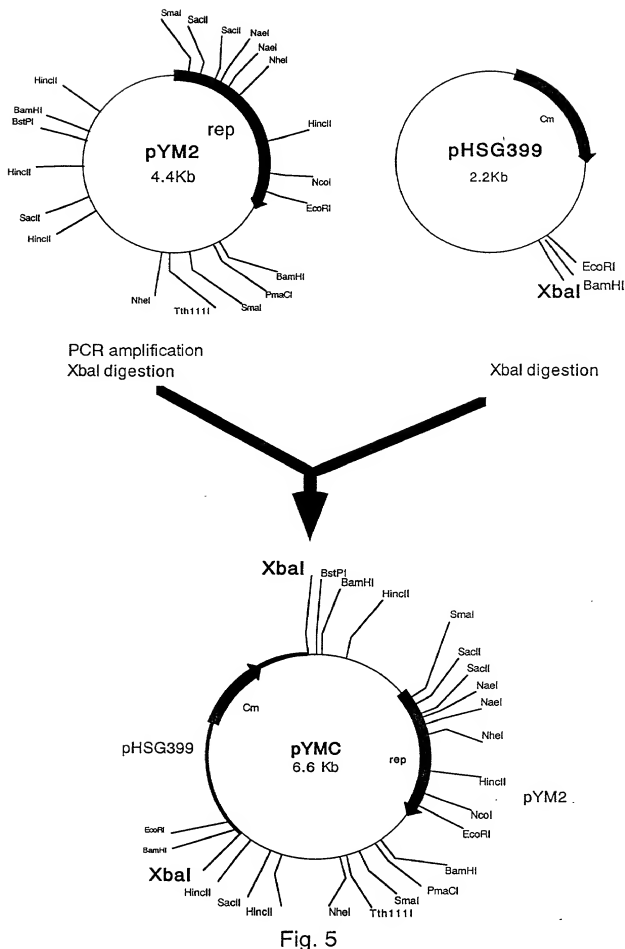


Fig. 5

001180.25192960



Fig. 6

Declaration, Power Of Attorney and Petition

Page 1 of 3

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PLASMID AUTONOMOUSLY REPLICABLE IN CORYNEFORM BACTERIA

the specification of which

☒ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and amended on _____.

☐ was filed as PCT international application

Number _____

on _____,

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
11-228391	Japan	12/08/1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)

And we (I) hereby appoint: Norman F. Oblon, Registration Number 24,618; Marvin J. Spivak, Registration Number 24,913; C. Irvin McClelland, Registration Number 21,124; Gregory J. Maier, Registration Number 25,599; Arthur I. Neustadt, Registration Number 24,854; Richard D. Kelly, Registration Number 27,757; James D. Hamilton, Registration Number 28,421; Eckhard H. Kuesters, Registration Number 28,870; Robert T. Pous, Registration Number 29,099; Charles L. Gholz, Registration Number 26,395; Vincent J. Sunderdick, Registration Number 29,004; William E. Beaumont, Registration Number 30,996; Steven B. Kelber, Registration Number 30,073; Robert F. Gnuse, Registration Number 27,295; Jean-Paul Lavalleye, Registration Number 31,451; Timothy R. Schwartz, Registration Number 32,171; Stephen G. Baxter, Registration Number 32,884; Martin M. Zoltick, Registration Number 35,745; Robert W. Hahl, Registration Number 33,893; Richard L. Treanor, Registration Number 36,379; Steven P. Weihrouch, Registration Number 32,829; John T. Goolkasian, Registration Number 26,142; Marc R. Labgold, Registration Number 34,651; William J. Healey, Registration Number 36,160; and Richard L. Chinn, Registration Number 34,305; our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to the firm of OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C., whose Post Office Address is: Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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